

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA

vs.

CASE NO. 3:98CR00188-01(CCC)

RAYBERT DIAZ-MARTINEZ

**MOTION IN RESPONSE TO COURT ORDER
DATED NOVEMBER 18, 2004**

TO THE HONORABLE CARMEN C. CEREZO
U.S. DISTRICT JUDGE
DISTRICT OF PUERTO RICO

COMES NOW, Martín De Santiago, U.S. PROBATION OFFICER of this Court,
presenting the following information in response to the court order dated November 18,
2004:

Mr. Díaz-Martínez was sentenced on April 26, 1999 to thirty (30) months of imprisonment to be followed by three (3) years of supervised release after he pled guilty to violating Title 18, U.S. Code, Sections 922(k) and 2. A \$100 Special Monetary Assessment was also imposed and it has been satisfied. As special conditions, the offender was ordered to submit to drug testing, and drug treatment, if warranted, as well as to work at a suitable employment or pursue a course of study.

On November 26, 2002, the offender's supervised release term commenced. Mr. Díaz-Martinez' has been able to maintain stable and gainful employment while living a crime-free lifestyle throughout his supervision process. More so, he has supported his child, thus meeting his family responsibilities. In addition, all drug tests taken have been negative.

WHEREFORE, in lieu of the aforementioned, unless the ruled otherwise, it is respectfully recommended that the Court grant the offender's request for early termination.

In San Juan, Puerto Rico, this 2nd day of December 2004.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

s/Martin De Santiago

Martin De Santiago
U.S. Probation Officer
Federal Office Building Room G-50
150 Chardon Avenue
San Juan, P.R. 00918-1741
Tel. 787-766-5860
Fax 787-771-4063
E-mail: martin_de_santiago@prp.uscourts.gov

CERTIFICATE OF SERVICE

I HEREBY certify that on December 2, 2004, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Assistant Federal Public Defender Maria T. Arsuaga.

I also certify that I have mailed by U.S. Postal Service the document to the following non-CM/ECF participant: Joseph V. Hoffer, U.S. Attorney's Office, Northern District of Florida, 21 East Garden Street, Suite 400, Pensacola, Florida 32502.

In San Juan, Puerto Rico, this 2nd day December 2004.

s/Martin De Santiago
Martin De Santiago
U.S. Probation Officer
Federal Office Building Room G-50
150 Chardon Avenue
San Juan, P.R. 00918-1741
Tel. 787-766-5860
Fax 787-771-4063
E-mail: martin_de_santiago@prp.uscourts.gov